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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,168	07/21/2003	Haruhiro Watanabe	MM0721US (#9032	6365
28672	7590	09/08/2005	EXAMINER	
D. PETER HOCHBERG CO. L.P.A.			LOWE, MICHAEL S	
1940 EAST 6TH STREET			ART UNIT	
CLEVELAND, OH 44114			PAPER NUMBER	

3652

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/624,168	WATANABE, HARUHIRO	
	Examiner	Art Unit	
	M. Scott Lowe	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/21/03 in a pre-amendment.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Handwritten signature

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 7/22/02. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b).

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "transfer of an article from between the article supporting body and the article handling section" (claim 1) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

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Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what "at least partially in a synchronized manner" means. Either it is synchronized or not.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brudi (US 3,757,977) in view of Derby (US 6,394,736).

Re claims 1-3, Brudi teaches an apparatus T and its inherent associated method of transferring articles P to and from an article handling section (not numbered) , using a

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self-propelled carriage T capable of traveling along a fixed path, the carriage comprising a movable body 50(70,80) moveable in a longitudinal direction with respect to a carriage body, a turnable body 30 capable of turning about a vertical axis with respect to the movable body, and an article supporting body 70,80 disposed over the turnable body, said method comprising the steps of:

halting the self-propelled carriage T alongside the article handling section;

performing initial turning of the turnable body 30 about the vertical axis so as to cause a front end of the article supporting body 70,80 to face the article handling section;

moving the movable body 50 whilst turning the turnable body 30 about the vertical axis, so that the front end of the article supporting body is positioned substantially right at a lateral side of the carriage body so as to face the article handling section;

performing a transfer of an article P between the article supporting body 70,80 and the article handling section; and
causing the article supporting body to perform a reverse operation returning the article supporting body over the turnable body.

Brudi is capable of moving the movable body and turntable body at the same time but does not discuss doing simultaneous movement. Derby teaches (column 6, lines 60-67 thru column 7, lines 1-2) simultaneous translation and rotation in order to simplify a process. It would have been obvious to one of ordinary skill in the art at the

time the invention was made to have modified Brudi by Derby to have simultaneous translation and rotation in order to simplify and speed up the movement process.

Re claim 4, Brudi teaches a cover member 22 (10, etc.) for covering the article supporting body is located on top of the carriage body such that at least a portion of said carriage body is turnable in unison with the turnable body.

Re claims 5,6, Brudi teaches the article supporting body 70,80 is a fork device extendable and retractable in forward and backward directions.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rohm (US 5,599,155) teaches simultaneous movement.

Loef (US 3,190,473) teaches moveable carriage, turntable & forks.

Zane (US 3,643,825) teaches moveable carriage, turntable & forks.

Finlayson (US 4,128,183) teaches moveable carriage, turntable & forks.

Sears (US 5,653,569) teaches moveable carriage, turntable & forks.

Miles (US 3,850,322) teaches moveable carriage, turntable & forks.

Halsall (US 4,309,758) teaches an autoguided vehicle.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Scott Lowe whose telephone number is (571) 272-6929. The examiner can normally be reached on 6:30am-4:30pm M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6607. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

msl


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